

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE

Chapter 13 Cases

**THIRD ADMINISTRATIVE ORDER GOVERNING CHAPTER 13
CASES AND MOTIONS FOR RELIEF FROM AUTOMATIC STAY**

AND NOW, to-wit, this 11th day of January, 2005, it is

ORDERED that, effective on the date of this Order, in Chapter 13 cases only, the Administrative Order of October 7, 2001, as modified, is further modified to add a new subparagraph (D) as follows:

(D) If the motion contains a request for authority to foreclose pursuant to a mortgage or security interest, the movant shall provide the following information:

(1) If the movant seeks relief for cause pursuant to 11 U.S.C. §362(d)(1), then the cause shall be specifically stated in the motion.

(2) If the movant seeks relief with respect to a stay of an act against property pursuant to 11 U.S.C. §362(d)(1) or (d)(2), then the motion shall state:

(a) the amounts and priority of the debt alleged to be owed to the movant;

(b) the identification, amount, and priority of each other encumbrance affecting the property, including real estate taxes and other municipal charges;

(c) the total of the amounts set forth in subsections (A) and (b);

(d) the fair market value and liquidation value of the collateral, with any available appraisal(s) attached;

(e) either that (i) there is no other collateral securing the obligation, or (ii) there is other collateral securing the obligation,

indicating the identity, value and valuation method and attaching any available appraisal(s);

(f) the original holder of the obligations secured by the security interest and/or mortgage and every subsequent transferee including the movant and whether the movant is the holder of that obligation or an agent of the holder.

(3) If the motion requires attachment of proof of security interest or lien, the filing party shall attach only the one page Document Loan Abstract Form in use in this District.

(4) Affidavits submitted in support of motions for relief from stay shall comply with the Administrative Order dated April 1, 2002.

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Judith K. Fitzgerald
United States Bankruptcy Judge